

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

GLORIA JEAN DAVIS,	:	
Plaintiff,	:	
v.	:	CASE NO. 1:09-cv-02719-CC-LTW
GREENPOINT MORTGAGE FUNDING, INC., BAC HOME LOANS SERVICING, LP, FEDERAL NATIONAL MORTGAGE ASSOCIATION, N.A., JOHN DOE 1 and JOHN DOE 2,	:	
Defendants.	:	

**DEFENDANTS GREENPOINT MORTGAGE FUNDING,  
INC.'S AND FEDERAL NATIONAL MORTGAGE ASSOCIATION,  
N.A.'S STATEMENT OF UNDISPUTED MATERIAL FACTS**

Defendants GreenPoint Mortgage Funding, Inc. (“GreenPoint”) and Federal National Mortgage Association, N.A. (“Fannie Mae”) file this Statement of Undisputed Material Facts, showing the Court as follows:

1. Plaintiff entered into two loan transactions on September 25, 2006. The first loan is for \$110,400, and the second loan is for \$27,600 (Exs. B; C; F, 1; G, 1). Both loans are secured by Plaintiff’s home, and were used to refinance Plaintiff’s adjustable-rate mortgage. (*Id.*; Pl. Dep. 25.)

2. Both loans were issued by Defendant GreenPoint. (*Id.*)
3. GreenPoint is the current owner of the second loan.
4. Defendant Fannie Mae is the current owner of the first loan.
5. At closing, Plaintiff received two copies of the notice of right to cancel the first loan. (Ex. D.)
6. At closing, Plaintiff received two copies of the notice of right to cancel the second loan. (Ex. E.)
7. Plaintiff did not exercise her right to cancel either loan within three days of the transaction. (Pl. Dep. 22-23.)
8. Plaintiff did not file suit against Fannie Mae or GreenPoint within one year of the closing. (Compl., Dkt. No. 2.)
9. If the Court ordered rescission, Plaintiff cannot return the balance of the principal of the loans. (Pl. Dep. 23-27.)
10. Plaintiff has settled her RESPA claims. (Dkt. No. 84.)

Respectfully submitted this 3rd day of July, 2012.

s/Daniel L. Delnero

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National Mortgage Association, N.A.*

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**CERTIFICATE OF SERVICE**

This is to certify that I have, on this 3rd day of July, 2012, served the foregoing ***Statement of Undisputed Material Facts*** with the Clerk of Court using the CM/ECF electronic filing system, which will send notification of such filing to the following parties:

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